

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT ANDREW WITZKE,)	
)	
Plaintiff,)	Case No. 1:87-cv-944
)	
v.)	Honorable Robert Holmes Bell
)	
JOHN RUBITSCHUN, et al.,)	
)	
Defendants.)	<u>ORDER</u>
)	

By memorandum opinion and order entered April 19, 2005, this court denied plaintiff's motion for injunctive relief, finding that the claim raised by plaintiff in his motion is not ripe for adjudication. Plaintiff has now moved for reconsideration. (docket # 109). Because the motion was filed within ten days of entry of judgment, the court must treat the motion as one to alter or amend judgment under Rule 59(e). Upon review of plaintiff's motion, the court remains convinced that plaintiff's claim is speculative and hypothetical and that the principles governing the doctrine of ripeness counsel against premature adjudication of plaintiff's claim. Accordingly:

IT IS ORDERED that plaintiff's motion for reconsideration (docket # 109) be and hereby is DENIED.

Dated: May 2, 2005

/s/ Robert Holmes Bell

ROBERT HOLMES BELL

CHIEF UNITED STATES DISTRICT JUDGE